

REMARKS

In response to the Office Action mailed May 25, 2006, claims 1-11 have been examined. In this response, Applicants have not amended any claims. No new claims are added and no claims are cancelled. Accordingly, claims 1-11 are pending.

I. Claims Rejected Under 35 U.S.C. § 102

Claims 1-11 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,873,704 issued to Park (hereinafter "Park"). Applicant respectfully traverses this rejection.

To anticipate a claim, the Examiner must show that a single reference teaches each of the elements of that claim. Claim 1 includes a limitation of a "means for eliminating, after a predetermined training period, all echo cancellors that produce a cancellation signal below a predetermined threshold." The apparatus taught by Park fails to teach or suggest this limitation. At most, Park discloses an update control means to generate an update signal by which a filter coefficient is updated when a power is larger than a threshold value of the filter, whereas the filter coefficient is not updated when the power is smaller than the threshold value. *See* Park, col. 4, lines 22-27, col. 5, line 61-col. 6, line 12.

In Park, the filter coefficient is updated only when the power value of the opposite speech signal is larger than a threshold value. And when the power value is smaller than the threshold, the update signal is disabled *to omit updating* the filter coefficient. Thus, in Park, it is the *update signal* that is disabled, meaning that the update control circuit will not receive the signal. This prevents the filter coefficient in the adaptive filter from being updated. However, this does not mean that the adaptive filter itself is disabled, or shut off. Park merely recites that when the

update signal is disabled, the coefficient in the adaptive filter *will not be updated*. Therefore, this is not the same as “*eliminating*, after a predetermined training period, all echo cancellors that produce a cancellation signal below a predetermined threshold” (emphasis added). Moreover, Park fails to teach elimination of echo cancellors in any context. And because Park fails to teach elimination of echo cancellors, it cannot teach “eliminating . . . *all echo cancellors that produce a cancellation signal below a predetermined threshold*.” Hence, Park does not disclose all elements of Applicant’s claim 1. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 1 are requested.

Independent claim 5 contains similar limitations as claim 1. Specifically, claim 5 includes the limitation of “eliminating all of said echo cancellors with the exception of those that produce a canceling signal above a predetermined threshold.” Thus, at least for the reasons mentioned in regard to claim 1, Park does not anticipate this independent claim 5. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 5 are requested.

Independent claim 8 contains similar limitations as claim 1. Specifically, claim 8 includes the limitation of “a control circuit . . . to eliminate, after a predetermined training period, all echo cancellors that produce a cancellation signal below a predetermined threshold.” Thus, at least for the reasons mentioned in regard to claim 1, Park does not anticipate this independent claim 8. Accordingly, reconsideration and withdrawal of the anticipation rejection of claim 8 are requested.

In regard to claims 2-4, 6, 7, and 9-11, these claims respectively depend from independent claims 1, 5 and 8 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to claim 1, Park does not anticipate these dependent claims. Accordingly,

reconsideration and withdrawal of the anticipation rejection of dependent claims 2-4, 6, 7, and 9-11 are requested.

II. Claims Rejected Under 35 U.S.C. § 103

Claims 3, 7 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Park in view of U.S. Patent No. 4,574,166 issued to Gritton (hereinafter "Gritton"). Applicant respectfully traverses this rejection.

Claims 3, 7 and 10 respectively depend from independent claims 1, 5 and 8, and incorporate the limitations thereof. Claim 1 includes the limitation "means for eliminating, after a predetermined training period, all echo cancellors that produce a cancellation signal below a predetermined threshold." Claim 5 includes the limitation "eliminating all of said echo cancellors with the exception of those that produce a canceling signal above a predetermined threshold." Claim 8 includes the limitation "a control circuit . . . to eliminate, after a predetermined training period, all echo cancellors that produce a cancellation signal below a predetermined threshold."

To establish a *prima facie* case of obviousness, each element of a claim must be taught or suggested by the combined references. Park does not teach or suggest the above recited limitations of claims 1, 5, and 8 for at least the reasons previously mentioned. Gritton also fails to teach or suggest these limitations. Gritton discloses an adaptive echo canceler in a tandem connection, where that echo canceler is the only canceler allowed to adapt at its normal rate while all other echo cancelers are inhibited from adapting. See Gritton, abstract, col. 4, lines 48-52. Further, the enabled adaptive echo canceler is connected in a preferred position, or a first position, in the tandem connection. See Gritton, col. 4, lines 52-61. During each of the next

clock intervals, each of the other adaptive echo cancelers is switched to the first or preferred position in the tandem connection. See Gritton, col. 5, lines 20-31. Thus, the relative positions of the adaptive echo cancelers in the tandem connection are controllably switched in the sequence so that each one of the adaptive echo cancelers is connected in the first or preferred position in the prescribed sequence.

Therefore, in Gritton, it is not the case that the echo cancelers are inhibited from adapting because they produce a signal below a threshold value. Rather, it is merely an essential component of this embodiment of Gritton's invention that only the adaptive echo canceler in the preferred position be allowed to adapt. As such, this is not the same as the limitation in claim 1 of "... *eliminating, after a predetermined training period, all echo cancellors that produce a cancellation signal below a predetermined threshold*" (emphasis added). Therefore, Gritton fails to teach elimination of echo cancellers in this regard. Hence, Gritton does not teach or suggest all elements of claim 1.

Because independent claims 5 and 8 include elements similar to those of claim 1, Applicant respectfully submits that Gritton does not teach or suggest all elements of claims 5 and 8 for at least the reasons mentioned above.

In regard to claims 3, 7 and 10, because these claims respectively depend from independent claims 1, 5 and 8, and incorporate the limitations thereof, then at least for the reasons mentioned in regard to claim 1, Gritton does not teach or suggest these dependent claims.

Thus, none of the cited references teach or suggest the elements of claims 1, 5, and 8 and their respective dependent claims 3, 7 and 10. Thus, a *prima facie* case of obviousness has not

been established in regard to claims 3, 7 and 10. Accordingly, reconsideration and withdrawal of the obviousness rejection of dependent claims 3, 7 and 10 are requested.

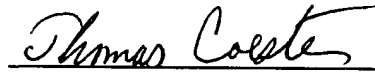
CONCLUSION

Claims 1-11 are currently pending. In view of the foregoing remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims. If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact attorney Thomas M. Coester at (310) 207-3800 ext. 4765.

Respectfully submitted,

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Susan M. Barrette July 25, 2006